HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION No.19663 of 2007

Dated:17.09.2007

Between:

M.Balaiah

…Petitioner

And:

APSRTC, reptd. by its Managing Director,
Musheerabad, Hyderabad and two others.

…Respondents

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HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION No.19663 of 2007

ORDER:

The petitioner, who is working as a driver in the respondent-Andhra Pradesh State Road Transport Corporation, filed this writ petition seeking to quash the orders, dated 31.07.2007, passed by the Depot Manager, Nagarkurnool, vide No.E1/2(3)2007-NGKL, whereby he was placed under suspension.

In the affidavit, filed in support of the petition, it is stated that the petitioner joined the services of the respondent-Corporation as a driver in the year 1989. On 13.07.2007, while he was performing his special off duty

as driver on Nagarkurnool-Hyderabad High-Tech bus, a fatal accident occurred, wherein the rider and pillion rider of a two wheeler died on the spot. In this connection, a criminal case is filed against the petitioner. Subsequently, enquiry was ordered. The petitioner submitted a representation on 08.08.2007 to the second respondent requesting him not to conduct the enquiry till the criminal case booked against him is completed. Further, it is stated that he submitted another representation, dated 05.09.2007, to the third respondent, seeking to defer the enquiry scheduled on 07.09.2007, but the third respondent, without passing any orders on the same, proceeded further with the enquiry, and adjourned it to 17.09.2007. Hence, the present writ petition challenging the said orders of suspension.

Learned counsel for the petitioner submits that directions be given to the respondents to consider the representation, dated 08.08.2007, submitted by the petitioner and dispose of the same expeditiously.

Heard learned counsel appearing on either side.

In view of pendency of the representation made by the petitioner, it is desirable to give a direction to the second respondent to consider the representation, dated 08.08.2007, submitted by the petitioner and pass

appropriate speaking orders, as expeditiously as possible, in accordance with law. Till such time, the enquiry officer is directed not to proceed further in the enquiry.

With the above directions, the writ petition is disposed of. There shall be no order as to costs.

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N.V.RAMANA, J

17.09.2007
dr